

SENATE RESOLUTION No. 21

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED JANUARY 27, 2014

Sponsored by:

Senator JENNIFER BECK

District 11 (Monmouth)

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

**Senators P.Barnes, III, Bateman, Greenstein, T.Kean, Singer, Weinberg,
Whelan, Vitale and Allen**

SYNOPSIS

Urges federal and State officials to prevent construction of Port Ambrose liquefied natural gas facility off NJ coast.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/17/2015)

1 **A SENATE RESOLUTION** opposing construction of the Port Ambrose
2 liquefied natural gas facility off New Jersey’s coastline.
3
4 **WHEREAS**, Liberty Natural Gas, LLC has submitted an application to
5 the federal Maritime Administration, in the United States
6 Department of Transportation, and to the United States Coast
7 Guard, seeking approval for the construction and operation of a
8 deepwater liquefied natural gas (LNG) terminal – identified as
9 “Port Ambrose” – which purportedly would allow for the increased
10 and more cost-effective import and delivery of natural gas to the
11 State of New York; and
12 **WHEREAS**, Port Ambrose would consist of a submerged buoy and
13 subsea pipeline system, situated in federal waters, 19 miles from the
14 coast of Jones Beach, New York and 24 miles from the coast of
15 Long Branch, New Jersey; and
16 **WHEREAS**, Port Ambrose would be located near fishing grounds and
17 scallop beds within the New Jersey/New York Clean Ocean Zone
18 (COZ) – an area that includes the waters from Montauk Point, New
19 York, to Cape May, New Jersey, and the unique physical,
20 hydrodynamic, and biological characteristics of which are
21 dependent upon a clean marine environment; and
22 **WHEREAS**, Port Ambrose would also be situated near the large
23 Ambrose shipping channel, which provides vessel access to the Port
24 of New York and New Jersey – the busiest shipping port on the
25 East Coast; and
26 **WHEREAS**, The construction and operation of Port Ambrose in the
27 COZ, near busy shipping lanes, fishing grounds, and scallop beds,
28 could ultimately have detrimental environmental and ecological
29 impacts on surrounding coastal areas and marine systems, and
30 could dramatically affect shipping traffic patterns, interfere with
31 port traffic, and increase the risk of shipping accidents in the area;
32 and
33 **WHEREAS**, Because Port Ambrose will be constructed and operated in
34 a high traffic area, at a site that saw some of the most violent wave
35 action created by Hurricane Sandy in 2012, the likelihood of port
36 accidents resulting from natural or manmade causes is higher than
37 would be true at a different siting location; and
38 **WHEREAS**, Any accident stemming from operations at Port Ambrose
39 could prove to be catastrophic to the area’s coastal and ocean
40 environments and the State’s shipping, fishing, and coastal tourism
41 industries; and
42 **WHEREAS**, Although Liberty Natural Gas, LLC indicates that Port
43 Ambrose will deliver significant benefits to the State of New York
44 by creating jobs, reducing energy costs, and increasing energy
45 security in peak winter and summer months, Liberty Natural Gas
46 does not contend that the proposed project would provide any
47 benefit, whatsoever, to the State of New Jersey; and

1 **WHEREAS**, Because the Port Ambrose project encourages the
 2 continued and more expansive use of natural gas by creating a
 3 financial incentive to facilitate the increased use of this resource in
 4 New York, the proposed construction and operation of Port
 5 Ambrose is at odds with the Obama Administration’s goal of
 6 promoting increased wind energy production off the Atlantic Coast,
 7 and, if approved, may threaten the long term viability and success
 8 of the renewable energy industry in the region; and

9 **WHEREAS**, Although, in 2008, Liberty Natural Gas, LLC submitted a
 10 similar proposal seeking to construct a deepwater LNG facility off
 11 the coasts of New York and New Jersey, that project was ultimately
 12 vetoed by Governor Chris Christie pursuant to the veto authority
 13 granted to the governor of an adjacent coastal state under the
 14 federal “Deepwater Port Act of 1974,” 33 U.S.C. s.1501 et seq.; and

15 **WHEREAS**, Upon his veto in 2011 of the 2008 LNG project, Governor
 16 Christie recognized that “LNG facilities . . . are not the answer for
 17 New Jersey’s needs . . . ,” and he indicated, moreover, that his
 18 “administration will oppose any application for liquefied natural
 19 gas” since it is inappropriate for New Jersey to assume the
 20 environmental and other risks associated with LNG facility
 21 projects, when the benefits to the State are weak, at best; and

22 **WHEREAS**, Because the construction and operation of the proposed
 23 Port Ambrose deepwater LNG terminal would endanger New
 24 Jersey’s coastal and ocean environments, as well as its shipping,
 25 fishing, and coastal tourism industries, while providing no benefit
 26 to the State or its residents, and because the authorization and
 27 approval of this port project would be contrary to the goals and
 28 positions espoused by government officials at both the federal and
 29 State level, it is altogether fitting and proper for federal and State
 30 officials to use their respective authority to prevent the construction
 31 and operation of this LNG port facility off of New Jersey’s coast;
 32 now, therefore,

33

34 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

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36 1. This House opposes the construction and operation of the
 37 Port Ambrose deepwater liquefied natural gas terminal off the coast
 38 of New Jersey, and it urges the United States Coast Guard, the
 39 federal Maritime Administration, and any other federal entity
 40 engaged in review of the Port Ambrose project to disapprove of the
 41 project, and thereby prohibit its construction off of New Jersey’s
 42 coastline.

43

44 2. This House also urges the Governor of the State of New
 45 Jersey to veto the Port Ambrose deepwater port project, pursuant to
 46 the authority granted to governors of adjacent coastal states under
 47 the federal “Deepwater Port Act of 1974,” 33 U.S.C. s.1501 et seq.,

1 and to thereby prohibit the port's construction and operation off of
2 New Jersey's coastline.

3
4 3. Duly authenticated copies of this resolution, signed by the
5 President of the Senate and attested by the Secretary thereof, shall
6 be transmitted to the Governor of the State of New Jersey, the
7 Administrator of the federal Maritime Administration in the United
8 States Department of Transportation, the Commandant of the
9 United States Coast Guard, each member of the United States
10 Congress from the State of New Jersey, and the Commissioner of
11 the New Jersey Department of Environmental Protection.

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14 STATEMENT

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16 This resolution urges federal and State entities to take
17 appropriate action to prevent the construction of the proposed Port
18 Ambrose deepwater liquefied natural gas (LNG) terminal off the
19 coast of New Jersey.

20 Liberty Natural Gas, LLC has submitted an application to the
21 federal Maritime Administration, in the United States Department
22 of Transportation, and to the United States Coast Guard, seeking
23 approval for the construction and operation of a deepwater LNG
24 terminal – identified as “Port Ambrose.” The port would be
25 constructed in federal waters, 19 miles from the coast of Jones
26 Beach, New York and 24 miles from the coast of Long Branch,
27 New Jersey, and purportedly would allow for the increased and
28 more cost-effective import and delivery of natural gas to the State
29 of New York.

30 The port would be sited near fishing grounds and scallop beds
31 within the New Jersey/New York Clean Ocean Zone, which has
32 unique physical, hydrodynamic, and biological characteristics that
33 are dependent upon a clean marine environment. It would also be
34 situated near the large Ambrose shipping channel, which provides
35 vessel access to the Port of New York and New Jersey – the busiest
36 shipping port on the East Coast.